

PLANNING COMMISSION

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JOHN H. FORD
Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

825 Fifth Street
Board of Supervisors Chambers
Eureka, California

AGENDA

Thursday, August 5, 2021

6:00 PM

Regular Meeting - Virtual

NOTE: In accordance with Executive Order N-29-20 the Planning Commission meeting will be held virtually.

HOW TO LISTEN OR WATCH THE PLANNING COMMISSION MEETING:

Listen or Watch the live stream of the Planning Commission Meeting in three ways:

- 1. <https://zoom.us/j/9763777152> Password: 200525*
- 2. Call in via telephone at 346 248-7799, enter meeting id 976 3777 7152 Password: 200525*
- 3. A live stream of the meeting can be found by using the following link: <https://humboldt.legistar.com> or by watching Access Humboldt on cable*

PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:

Participate in the public comment period of the meeting in the following two ways:

- 1. Via Computer as an attendee: To raise your hand click the Raise Hand icon on the bottom of the Zoom window. When you click the Raise Hand icon, a hand icon will appear next to your name that will notify the host your hand is raised. You will also see the hand icon turn green. When you want to lower your hand, you can click the hand icon again and your hand will be lowered. When you are called upon to speak the Zoom platform will ask you for permission to unmute your mic. If you encounter any issues, please use the call-in option below.*
- 2. Via phone call using cell phone or landline: When the Planning Commission meeting begins, call in to the conference line. When the Planning Commissioner starts to discuss the item you wish to comment on, Press *9 to raise your hand. When you are called upon to speak, you will be prompted to unmute your mic, press *6 to unmute.*

Please note that each Zoom meeting has a unique meeting ID and password. Any item on this agenda that is continued to a future date will use the meeting ID and password applicable to the date the agenda item is to be heard again. Agendas are posted on the Friday before the meeting at <https://humboldt.legistar.com>

PUBLIC COMMENT PRIOR TO THE MEETING:

Submit public comments via email to Planningclerk@co.humboldt.ca.us and provide the Project title, Record or Case number and date of the hearing. If you do not have access to email, contact the planning clerk at 707-268-3702. The Agenda is posted on the Friday prior to the meeting. Comments received after the agenda has been published can be found at the “Attachments” section of the “Meeting Details” link next to the posted Agenda at: <https://humboldt.legistar.com>. All public comment and supplemental information submitted after Wednesday, August 4, 2021 will be included with the administrative record after the fact.

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT

C. AGENDA MODIFICATIONS**D. PUBLIC COMMENTS**

At this time persons may appear before this Commission on any matter pertinent to the Commission's Jurisdiction and that is not on the Agenda. When the Chair asks for public comment, please address the Commission from the microphone. Unless otherwise stated, speakers will have three (3) minutes for public comment. Although the Commission may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Commission at this time.

E. CONSENT AGENDA

These Public Hearing matters are routine in nature and are usually approved by a single vote. The Chair will poll the audience and members of the Commission to determine if any item on the consent agenda should be pulled for public comment or further discussion.

1. Christopher Cameron, Conditional Use Permit
Record Number PLN-10994-CUP
Assessor's Parcel Number: 211-401-018,
Salmon Creek area

Conditional Use Permit to allow 12,600 square feet (SF) of mixed light cannabis cultivation in six (6) greenhouses in three (3) harvest cycles and Special Permit to reduce the required 600-foot setback from public lands. Irrigation water is sourced from an existing groundwater well located on the adjacent property (APN 211-401-017), also under Cameron ownership (Permit No. 17/18-0743). Electricity is provided by two onsite generators (150 kw each). PG&E is anticipated to be installed within 1 year (2022-2023).

Recommendation: Continue to a date uncertain.

2. Eco Green Grow, LLC, Conditional Use Permit and Special Permit

Record Number PLN-11582-CUP

Assessor's Parcel Number: 523-015-009.

Willow Creek Area

A Conditional Use Permit for 43,560 square feet of pre-existing outdoor and 3,600 square feet of pre-existing mixed-light commercial cannabis cultivation, and 4,716 square feet of ancillary propagation space. Irrigation water will be sourced from a permitted groundwater well on-site. Total annual water demand for the project is 302,910 gallons per year. Bucking and drying will occur within an existing building. Power is sourced by four generators on-site, and the applicant will develop solar power to provide 75% of electricity needs within three years from the date of approval. A Special Permit is also being requested for a setback reduction to Six Rivers National Forest.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and Special Permit and adopt the Resolution approving the Eco Green Grow project subject to the recommended conditions.

Attachments: [11582 Eco Green Grow Staff Report 8.05.21.pdf](#)
[Attachment 3A Less-than-3-acre Conversion.pdf](#)
[Attachment 3B Road Evaluation Report.pdf](#)

3. Old Briceland Holding Company, LLC, Conditional Use Permit
Record Number PLN-11890-CUP
Assessor Parcel Number (APN) 107-135-005.
Honeydew area

A Conditional Use Permit for 18,048 square feet (SF) of existing mixed-light cannabis cultivation, cultivated within five (5) greenhouses. Ancillary propagation occurs year-round within two (2) existing greenhouses totaling 3,744 square feet. Irrigation water from a groundwater well on the subject parcel and an approximately 400,000-gallon rainwater catchment pond. Drying occurs onsite, with all other processing occurring off-site at the applicant's licensed facility (approved under PLN-10697-ZCC). Power is provided by two (2) generators with long-term plans to switch to solar or grid power through Pacific Gas and Electric Company (PG&E). The applicant also seeks Special Permits for work within the Streamside Management Area related to the removal of stockpiled tree stumps from the head of a Class III stream and re-planting the Class III buffer zone with Douglas-fir seedlings, and for a reduction to the 600-foot setback requirement from public lands.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and Special Permit and adopt the Resolution approving the Old Briceland Holding Company project subject to the recommended conditions.

Attachments: [11890 Old Briceland Holding Staff Report FINAL 8.5.21.pdf](#)

4. LSK Art, LLC, Conditional Use Permit

Record Number PLN-12556-CUP

Assessor Parcel Numbers (APNs) 317-182-021 and 317-033-007.

Shower's Mountain/Pilot Ridge area

A Conditional Use Permit for 13,686-square-feet of existing outdoor cannabis cultivation. All water used for cultivation is sourced from a permitted groundwater well (18/19-0279) and two surface water diversions located in an unnamed Class II watercourse. A total of 115,000 gallons of hard tank storage is proposed. Estimated annual water usage is 125,932 gallons (8.4 gallons/SF/year). Drying and curing occurs onsite and all processing is currently done outdoors using a trimming machine. Future processing activities will be conducted offsite at a licensed facility. Electricity is sourced from six diesel generators. A Special Permit is also requested for the ongoing use and maintenance of two points of diversion from a Class II watercourse.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and Special Permit and adopt the Resolution approving the LSK Art, LLC project subject to the recommended conditions.

Attachments: [12556 LSK Art - Staff Report 8.05.21.pdf](#)
[3A 12556-CultOps and Addendum .pdf](#)
[3B - 12556 Right to Divert & Use Water H504249.pdf](#)
[3C- SMP Final 10-13-20 TRC 145 Reduced.pdf](#)
[3D - 12556 LSA Agreement.pdf](#)
[3E - 12556-3AcreConversion.pdf](#)
[3F - Road Evaluations.pdf](#)

5. Lassik Farms, LL, Conditional Use Permit

Record Number PLN-12593-CUP

Assessor Parcel Number (APN) 217-381-007.

Blocksburg area

A Conditional Use Permit for 24,687-square-feet of existing outdoor cannabis cultivation including 4,614 square feet of full-sun outdoor and 20,073 square feet of outdoor in three (3) light deprivation greenhouses without artificial lighting. Ancillary propagation occurs in a 300 SF greenhouse. Irrigation water is sourced from a permitted groundwater well. Power for cultivation is sourced primarily from solar and wind power, with generators to provide power for ancillary support and drying activities.

Recommendation: Continue to a date uncertain.

6. Lance Berry, Conditional Use Permit
Record Number PLN-12674-CUP
Assessor's Parcel Number: 208-261-009,
Dinsmore area

A Conditional Use Permit for 20,700 square feet (SF) of existing outdoor cannabis cultivation and 2,700 SF existing mixed light cultivation for a total cultivation of 23,400 SF. Irrigation water is sourced from a permitted well and a 388,000-gallon rain catchment pond. Drying occurs onsite. Further processing will occur off-site. The primary source of electrical power (propagation lights and pump water) is a generator.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Lance Berry project subject to the recommended conditions.

Attachments: [12674 Lance Berry Staff Report 8.5.21.pdf](#)

7. Greentech Industries, Conditional Use Permit
Record Number PLN-12823-CUP
Assessor's Parcel Number: 222-222-013.
Redway area

A Conditional Use Permit for 13,150 square feet (SF) of existing cannabis cultivation including 6,800 SF of mixed light and 6,350 SF of outdoor cannabis cultivation. Propagation occurs in a 1,700 SF nursery. Irrigation water is currently sourced from a spring diversion from an unnamed Class II watercourse. Post-cultivation processing activities include drying, trimming and packaging and will occur in a proposed 4,500-SF building onsite. Electricity will be provided by PG&E, and one (1) backup generator (7 kW) is onsite in the event of power outages.

Recommendation: Continue to a date uncertain.

8. Bear Creek Gardens, LLC; Conditional Use Permit

Record Number PLN-13153-CUP

Assessor's Parcel Number: 208-191-015.

Dinsmore area

A Conditional Use Permit for 16,000 square feet (SF) of existing outdoor cannabis cultivation. Cultivation currently occurs in one (1) outdoor cultivation area (CA 1) and seven (7) greenhouses (GH) totaling 5,280 SF. Plants are propagated in a 1,280-SF multi-use building. Irrigation water is sourced from two (2) points of diversion (POD) on the Mad River and an unnamed stream that is tributary to Bear Creek. Total water storage is 221,500 gallons. Drying occurs onsite in a 160-SF shipping container and a 1,280-SF multi-use building. Further processing occurs in a 576-SF facility onsite. The primary source of electrical power is two (2) Honda EU3000s 3-kW generators.

Recommendation: Continue to a date uncertain.

9. Kenneth Holland, Special Use Permits

Record Number PLN-13188-SP

Assessor's Parcel Number: 110-051-028.

Whitethorn (Shelter Cove) area

Two Special Use Permits, one for cannabis manufacturing and one for cannabis processing, both occurring within one (1) existing 2,000 square foot (SF) commercial metal building. The project also proposes the installation of a 10' x 60' loading zone and six (6) parking stalls, including one (1) accessible stall with a striped unloading area for people with disabilities.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Special Permit and adopt the Resolution approving the Kenneth Holland project subject to the recommended conditions.

Attachments: [13188 Kenneth Holland Staff Report Final 8.5.21.pdf](#)

10. Kenneth Holland, Conditional Use and Special Permit

Record Number PLN-13194-CUP

Assessor's Parcel Number: 110-051-029

Whitethorn (Shelter Cove) area

A Special Use Permit to allow cannabis processing in a proposed 900 square-foot (SF) building and a Conditional Use Permit to allow a commercial cannabis nursery in a proposed 980-SF greenhouse. Power is provided to the site via an existing supply line and connection from the Shelter Cove Resort Improvement District 1. Water is provided by the Shelter Cove Resort Improvement District 1. The nursery is estimated to use 33,600 gallons of water per year (2,800 gallons per month). No water storage is proposed on site.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Kenneth Holland project subject to the recommended conditions.

Attachments: [13194 Kenneth Holland Staff Report Final 8.5.21.pdf](#)
[13194 - Public Comment.pdf](#)

11. Kenneth Holland, Conditional Use Permit

Record Number PLN-13197-CUP

Assessor's Parcel Number: 110-051-030,

Whitethorn (Shelter Cove) area

A Conditional Use Permit for 11,200 SF of existing, type 4 medical cannabis nursery. Water for irrigation is from a municipal source. There is no water storage on this parcel. The applicant states that up to three employees are needed for operations. Electricity is sourced from PG&E. Water is provided by the Shelter Cove Resort Improvement District 1. The nursery is estimated to use 33,600 gallons of water per year (2,800 gallons per month).

Recommendation: Continue to a date uncertain.

12. Emerald Flower Farms, Special Permit

Record Number PLN-16644-SP

Assessor's Parcel Number: 108-281-003.

Shelter Cove area

A Special Permit for an expansion from an existing 4,908 SF (approved 10/19/2018) to 16,908 SF, to permit a maximum of 17,000 square feet (SF) of cultivation. Existing cultivation includes three (3) of outdoor greenhouses (4,908 SF). Proposed cultivation is for an additional 12,000 SF of cultivation and includes six (6) outdoor greenhouses (12,000 SF). The applicant is approved for a Zoning Clearance Certificate for 4,908 SF (PLN-12394-ZCC), which includes a Special Permit to reduce the setback to the King Range National Conservation Area property. The source of water for irrigation is a rainwater catchment surface which provides a capacity of 69,460 gallons per year, that will be used to fill 70,000-gallons of hard tank storage. Water will also be available by the permitted well. Power is provided by a 7kWH solar system on the property that consists of 20 solar panels and exceeds the operational power needs of the farm. In the event of an energy malfunction, the project has a backup Honda 7,000 gas generator, and is stored within a wooden shed. The applicant proposes to replace the gas generator with a 24k Kohler propane generator (54 Db), to provide backup power needs.

Recommendation: Continue to a date uncertain.

13. Emerald Flower Farms, Special Permit

Record Number PLN-16645-SP

Assessor's Parcel Number: 108-132-031.

Shelter Cove area

A Special Permit under for an expansion of an existing cultivation area, to increase cultivation by 20,000 SF, from 4,880 SF of existing outdoor to a maximum of 24,880 SF of outdoor cultivation. The applicant is currently approved for a Zoning Clearance Certificate for 4,908 SF (PLN-12394-ZCC). The source of water for irrigation is a rainwater catchment surface which provides a capacity of 91,120 gallons per year, that will be used to fill 53,800-gallons of hard tank storage. Water will also be available by the permitted well located on the adjacent property (PLN-16644-CUP). Processing occurs off-site at a licensed third-party facility. The project requires three (3) employees. The primary power source is a 1.5 kW solar array to power ventilation fans and irrigation pumps. A backup 24 kW Kohler propane generator located in a containment shed is a backup source that would not be needed for ordinary operations.

Recommendation: Continue to a date uncertain.

14. McKinleyville Murray Rd. LLC, Final Map Subdivision Extension

Record Number PLN-2020-16851

Assessor's Parcel Numbers: 510-011-015, 510-011-017, 511-111-059, and 511-161-004.

McKinleyville area

A two-year extension of a Final Map Subdivision of approximately 197.3 acres formerly known as Norton Creek Estates, now termed Beau Pre Heights Subdivision) into 79 residential parcels ranging in size from 1.03 acres - 4.79 acres, and an open space parcel encompassing streamside management areas and wetlands. The project includes Street Name Assignments to name the proposed new unnamed access roads that are to serve the proposed subdivision. The project will be served by community water and on-site septic systems. If approved, the extension will extend the life of the tentative map to June 14, 2023. No change to the original project is proposed. This is the third extension requested and if approved, the extension will expire on June 14, 2023.

Recommendation: Make all the required findings for approval of the Final Map extension, and adopt the resolution approving the Beau Pre Heights Final Map Extension subject to the recommended conditions of approval.

Attachments: [16851 McKinleyville Murray Road Staff Report.pdf](#)

15. Big Foot Cannabis Company, LLC, Conditional Use Permit

Record Number PLN-2021-17188

Assessor's Parcel Number: 522-221-019.

Willow Creek Area

A Conditional Use Permit for the operation of a cannabis microbusiness within the Willow Creek Community Planning Area. The microbusiness will consist of cannabis infusion manufacturing, distribution, and cannabis storefront retail dispensary within an existing building. The project will source water from the Willow Creek Community Services District (WCCSD) and the applicant has obtained a will-serve allowing the continued use of 60,000 cubic-feet (448,831 gallons) per year for the parcel. A maximum of five (5) employees are anticipated for the microbusiness operation's needs. The dispensary will be limited to the hours of 10:00 am and 7:00 pm. The parcel is powered by PG&E.

Recommendation: Find the proposed project exempt from environmental review pursuant to Section 15301 (existing facilities) of the CEQA Guidelines and make all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Big Foot Cannabis Company, LLC Project subject to the recommended conditions.

Attachments: [17188 Big Foot Cannabis Co - Staff Report 8.05.21.pdf](#)
[Attachment 2A_17188 Operations Plan 04.29.2021.pdf](#)

F. CONTINUED PUBLIC HEARING

1. New Cingular Wireless PCS, Special Permit

Record Numbers PLN-2020-16754

Assessor's Parcel Number: 505-151-006

Arcata area

The New Cingular Wireless facility consists of a Special Permit application for the construction of a new 100-foot tall, freestanding faux water tower, to be located on a concrete foundation with ground-mounted equipment. The tower would be able to host up to three different wireless carriers.

Recommendation: Find the project exempt from environmental review pursuant to Section 15270 (projects which are disapproved), find the project to be inconsistent with the Humboldt County General Plan, and adopt the resolution denying the New Cingular Wireless Special Permit.

Attachments: [16754 ATT \(Cingular Wireless\) Staff Report 8.05.21.pdf](#)
[Attachment 2 - 16754 Staff Report PC 7-15-21.pdf](#)

2. PWM Inc. Conditional Use Permit and Special Permit

Record Numbers PLN-2021-17005

Assessor's Parcel Number: 506-231-010.

Arcata area

The PWM, Inc. Wireless facility involves construction of a new 130-foot-tall freestanding lattice tower, located on a concrete foundation with ground-mounted equipment. The tower would be able to host up to four different wireless carriers.

Recommendation: Find the project exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines (New Small Structures), make the findings for approval of the Use Permit, and adopt the resolution approving the PWM, Inc. Conditional Use Permit subject to the recommended conditions.

Attachments: [Attachment 2 - 16754 Staff Report PC 7-15-21.pdf](#)
[17005 PWM Staff Report 8.5.21.pdf](#)

3. Zoning Ordinance Amendments to the Commercial Cannabis Land Use Ordinance (CCLUO), Record ID #PLN-2021-17147.

This item includes revisions to the Inland CCLUO Zoning Ordinance (Section 314-55.3 of Chapter 4 of Division 1 of Title III of the Humboldt County Code) to require that applications for two (2) or more Retirement, Remediation and Relocation (RRR) sites proposing relocation on a single receiving site require a special permit. These amendments would be applicable to all zoning clearance certificate applications for RRR sites and Relocation sites, including those submitted on or before December 31, 2016. Additionally, this item includes proposed amendments to the CCLUO Section 314-55.4, providing updated definitions for “Propagation” for allowance of an area, not to exceed 25% of the cultivation area, for the use of nursery and immature plants. Additionally, an updated definition for “Outdoor” allows use of lights requiring 60 watts of electricity or less to be used for employee safety and/or to maintain plants in a non-flowering vegetative state in the area approved for Cultivation or Propagation. Also, the enhanced setback requirements for Cannabis Support Facilities are proposed to no longer apply to facilities for distribution and cannabis testing and research laboratories. The Planning and Building Department is recommending the Planning Commission recommend the Board of Supervisors adopt the proposed changes to the CCLUO.

Recommendation: Adopt the Resolution to make all required findings for adoption of an amendment to the CCLUO, recommending that the Humboldt County Board of Supervisors consider the Addendum to the CCLUO PEIR, find that no new information has been presented that changes the findings of the PEIR pursuant to Section 15162 of the State CEQA Guidelines and adopt the proposed amendments to the CCLUO.

Attachments: [17147 Staff Report - CCLUO Revisions 8-5-21.pdf](#)

G. ITEMS PULLED FROM CONSENT

H. NEW PUBLIC HEARINGS

The projects listed below are public hearing items that have generated public comment prior to the hearing date or have other issues related to them that may require discussion

1. Humboldt County Department of Public Works Conditional Use Permit and Special Permit
Record Number PLN-2020-16865
Assessor's Parcel Number: 404-141-002 et seq.
Bracut area

A Conditional Use Permit (CUP) for portions of the Humboldt Bay Trail South Project that are within lands zoned Natural Resources (NR) and Industrial General (MG). The Humboldt Bay Trail South Project would expand the Humboldt Bay Trail by 4.25 miles and complete the trail connection between Eureka and Arcata. The Project is being developed by the Public Works Department of Humboldt County. 60% design plans have been prepared for the project. A Lot Line Adjustment is also included to adjust the boundary between APNs 501-241-030 and 501-241-033 to facilitate the County's acquisition of the majority of APN 501-241-030. A consolidated Coastal Development Permit will be processed by the California Coastal Commission. A Special Permit is required for Design Review.

Recommendation: Find that the project is consistent with a previously adopted Mitigated Negative Declaration, make the findings for approval of the Conditional Use Permit, Special Permit and Lot Line Adjustment, and adopt the resolution approving the Humboldt County Department of Public Works project subject to the recommended conditions.

Attachments: [16865 Humboldt County Public Works Staff Report 8.5.21.pdf](#)
[Attachment 3 Initial Study & Mitigated Negative Declaration.pdf](#)

2. Stott Billboard, Conditional Use Permit
Record Number PLN-16175-CUP
Assessor's Parcel Number: 201-292-001.
Fortuna area

A Conditional Use Permit for a new illuminated off-premise billboard sign located on a parcel zoned for Commercial Highway with a Q Overlay Zone. The proposed billboard is 50 feet in height with a sign dimension of 40 feet x 12 feet (480 sq ft sign area), double-sided, and would be illuminated from dusk to midnight daily by two energy-efficient LED luminaries.

Recommendation: Find the project exempt from environmental review pursuant to Section 15270 of the State CEQA Guidelines (projects which are disapproved), make the finding that the project is inconsistent with the Humboldt County General Plan and Zoning Ordinance, and adopt the resolution denying the proposed Stott Billboard Conditional Use Permit.

Attachments: [16175 Stott Staff Report 8.5.21.pdf](#)

I. ADJOURNMENT

J. NEXT MEETINGS

AUGUST 12, 2021 - SPECIAL MEETING

AUGUST 19, 2021 - REGULAR MEETING

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Planning Commission Clerk at 707-445-7541 or by email planningclerk@co.humboldt.ca.us or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us